G. R. S. IX-5]

Previous references.

Resume

P 42

File No. 191-16

1916-17

(Police)

Serial Nos. 1 to 15

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1 to 15

Part B for September 1917

SUBJECT. A Case of death by stabbing by a British Soldier on 21. 5. 1917 in the Vicinity of the Konen. Agrahara Village on the Whitefields Road

---

15) To the J. A. Resident

Pol 306 dy 26. 9. 917

Forwards a Copy of the order of the Madras High Court as Required —

W D 88—GPB—50,000—24-7-16

Md Abdur Rahman

2. 10. 917 Khan

G. R. S. 11] 1916 17

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GENERAL AND REVENUE SECRETARIAT.

(Police)

NOTES.

File No. 191-16

FILE HEADING.

A case of death by stabbing by a British soldier on 21-5-17 in the vicinity of Konnigoplum village on the Whitefield road.

From

The Dy. Comr. Bangalore Dist.

No. 953-56-5 Dated 22-5-17 Received 23-5-17

Diary No. J25-30	Enclos. / Spare Copies.	Serial No. /

BRIEF ABSTRACT OF LETTER.

Forwards copy of the Police Supdt's enquiry in the matter.

NOTES AND ORDERS.

This seems to be a matter to be reported to the Residency in accordance with G.O. No. 7901-39-Mis 1708 dt 12-12-1900. Subd. with a draft.

HB

B.S. 23-5-17. VLL

2) Done and submit

Es 25/5

NOTES—First Sheet.

2530 WD 1233—GPB—60,000—1-12-16—S.

G. R. S. III-2]

General and Revenue Secretariat. | Police File No. 191 of 1916-17

Serial No.	
2	To The A.A. Resident no. Pol 1168 dt 24.5.1917. Forwards copy of the Police Supdt's memo & promises a further report in the matter.
3	From Rec. D.S.P. no. 5325/5-30 dt 22.5.17 Forwards copy of D.C.'s letter and a copy of Police Supdt's memo.

3) Subd.
24.5.17. Ale

4) In favour of kind perusal
SB 24/5

Extraordinary Member

30.5.17.

SB 2/6

NOTE—Contn. sheet.

ND 1283—GPB—60,000—1-12-16—S.

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G. R. S. III-2]

General and Revenue Secretariat. | Police File No. 191 of 1916-17

Serial No.	
4	From The Dy Comr. Bangalore Dc. no. 978-79 D/26-5-17 Submits a further report regarding the case of stabbing by a British soldier near Konena Agrahar and solicits orders as to the placing of a charge sheet in the case. 5) The notification referred to by the Supdt: of Police does not apply to this case as it has reference only to native officers and soldiers of the Indian army. The records of the case have simply to be forwarded to the Military authorities (Vide notes in police file no. 216-13) 6) Subd. for orders with a draft calling for the records. The previous papers B.H. 29-5-17 were subd. to Extra Ordinary Member on 26-5-17 7) The Notification referred to does not apply to the present case. The English Army Act applies to this case and the accused can be tried only by the military authorities. If the Draft is approved, the records on receipt will be forwarded to the Military authorities through the Residency. 29/5 Extraordinary Member

716

71
Cr. Statutes
Vol I

NOTE—Contn. sheet.

WD 1233—GPB—60,000—1-12-16—S.

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4 (4

G. R. S. III-2]

General and Revenue Secretariat.

Police File No. 191 of 1916-17

Serial No.

8) The draft letter is approved. The Extraordinary Member wishes to have a clear and full note with reference to authorities as to whether British soldiers committing offences within the Mysore Territory may be tried at all in Mysore Courts by Justices of the Peace and if so, in what cases.

30.5.17.

9) Let me see the report when read. 31/5 8/6

10) Some res submit with all available refce books

There was a Lethal Shooting case 1910 tried by Mathams Wright. Please put up all files in which European British Subjects were concerned as accused. Please put up the treaty & Instrument of transfer, any other file in which this question has been discussed.

8/6/17

5 To The Dy. Comr. Bangalore DC. no. J4489 Dt 2.6.17

States that the provisions of the notification quoted by the Suptd. does not apply to the present case as it has reference only to native officers and soldiers of the Indian Army and requests that the records of the case may be forwarded

NOTE—Contn. sheet.

WD 1233—GPB—60,000—1-12-16—S.

2671

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G. R. S. III-2]

General and Revenue Secretariat.

Police File No. 191 of 1916-17

Serial No.	
6	for transmission to the military authorities from the Dy. Comr. Bangalore Dt. no. 1028/9 D/ 12.6.17 states that the soldier was on leave from Mesopotamia at the time of the commission of the offence, ~~xxxx~~ that the military authorities are prepared to hand over the accused for trial to the civil authorities whenever required and that under these circumstances the Supdt. of Police, Bangalore Dt., has been requested to place a charge sheet against the accused before a J.P. having jurisdiction.
	11) Subd. with reference to para 10 supra it is noted that the reports required were called for in another connection and a note has already been put up by the Asst. Secy. as regards the jurisdiction of justices of the peace and courts martial in such cases.
	BG. 15.6.17. 12) Submitted for favour of perusal.
	Extraordinary Member 13) Hon. Mr. Marsh. 16.6.17.

Note—Contn. sheet.

2692
2727

WD 1233—GPB—60,000—1-12-16—S.

(6)

G.R. S. III-2]

General and Revenue Secretariat. | Police File No. 191 of 1916-17

Serial No.	
7	From The D. S. P. no. 5950-553 Dt/ 14.6.17 states that the military authorities have intimated that the accused Private Scott will be handed over to the civil authorities for trial and that the Superintending Police has been requested to place a charge sheet before the Justice of the Peace having jurisdiction. 14) Subd. The above information was furnished by the D.C. and the file on the subject was subd. to the Extraordinary Member yesterday. This may be placed in the file on its return from the Extraordinary Member. Dt/ 16.6.17 15) Dt/ 16/6.
8	From The Dy. Comr. Bangalore Dt. no. 2803-Mis Dt/ 18.6.17 states that the case against the soldier is posted for hearing before Mr. Bonning J.P. on 28.6.17 at Bangalore, that due notice of this has been given to the military authorities & that the result of the trial will be reported in due course. 16) Subd. for perusal. Dt/ 20.6.17. 17) If approved, the result of the trial will be awaited. Es 20/6 Extraordinary Member 18) approved. Dt/ 20.6.17.

NOTE—Contn. sheet.

G. R. S. 12]

General and Revenue Secretariat.

Police File No. 191 of 1916-17 (7

Serial No.

From the D. G. of Police Mysore.
No 1324/12 of 9.7.1917.
States that Private Scott was, on 4th July 1917, charged under Section 304 I.P.C. by the Justice of the Peace (Mr P. J. Bowring) & committed to take his trial before the Madras High Court Sessions which comes off in August.

1) The result of the trial of the accused Private Scott before the High Court Sessions will be awaited.

Submitted

11-7-17

2) Submitted for kind perusal

11/7

Extraordinary Member

14.7.17.

10 From The D.G. Police no. 881 of 15/8/17

States that the accused was acquitted by the Madras High Court on grounds of insanity and that he has been ordered to be detained in the penitentiary pending orders of Govt.

NOTE—Contn. sheet.

GPB—30,000—15-9-14

MD 1233—GPB—60,CCC—1-12-16—S.

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G. R. S. III-2]

General and Revenue Secretariat. | Police File No. 191 of 1916/17

Serial No.	
	Subd. for orders with a draft to the Residency. BS. 18.8.17.
	Issue. BS. 18/8
11	To, The F. A. Resident O.L 182 D/21-8-1917 States that the Court is reported to have acquitted Scott on the ground of insanity and to have directed his detention in the penitentiary pending the orders of the Govt.
12	From The F. A. Resident. No. 667 dy Requests that a copy of the Madras High Court, if available, may be furnished. The order required is not available here. Subd for orders. BS. 30-8-17. Please prepare draft calling for a copy of the order from the D.G. He may perhaps get it from the Bombay office. BS 31/8
	Draft subd. BS. 30.8.17. Issue. BS 31/8
13	To, The D. G of Police C No 814. D/1. 9. 1917 Requests to obtain and forward a copy,

Sub A

Sub A

NOTE—Contn. sheet.

MD 1233—GPB—60,000—1-12-16—S.

Serial No.	
	of the Courts order in the Case.
14	From The D. G of Police. No 1705/114 D/ 13/15. 9. 1917 Forwards a Copy of the order of the Madras High Court acquitting Private E. Scott.
	Sealed with a Seal of the F. A. Resident.
	14. 2. 9. 17
	13/ cfw
15	To, The F. A. Resident Pol 306 D/ 26. 9. 1917 Forwards a Copy of the order of the Madras High Court as requested.

NOTE—Contn. sheet.

23 MAY 1917

Office of the Deputy Commissioner,
Bangalore District,
Dated Bangalore, 22nd May 1917.

J.2530.
1917
Police
1916
1

From

The Deputy Commissioner,
Bangalore District.

To

D.M.Narasinga Rao, Esq., B.A. B.L.,
Secretary to Government,
General Department,
Bangalore.

823-30
GEN. & JUDICIAL
23 MAY 1917

Sir,

I have the honor to forward herewith a memorandum submitted by the District Superintendent of Police, Bangalore District, setting forth facts of a case of death by stabbing caused by a British Soldier in the vicinity of the Konen-Agrahara Village on the Whitefield Road yesterday the 21st instant.

I also proceeded to the spot immediately after I had finished the Excise sales and I made enquiries regarding the offence.

If the accused was not capable of understanding the nature of his act as is evident from the Superintendent's Memo, it is not clear under what circumstances he managed to stray away from his companions all alone. This matter will be further enquired into and report made.

I have the honor to be,
Sir,
Your most obedient servant,

Senior Assistant Commissioner.
In charge. Bangalore District

Office of the Superintendent of Police,
Bangalore District.
Dated Bangalore, 21st May 1917.

Memorandum.

When I was in office this day about 3-30 P.M. ~~& &~~ I received a Telephone message from the District Superintendent of Police, Civil and Military Station, that the Ulsoor Station reported to him, that information was brought to that Station that a Soldier had stabbed a ryot at Konen-Agrahar Village and that the ryot had died. I immediately went up to the Mayo Hall and saw Mr. Coningham, he confirmed the message and very kindly motored me down to the spot.

On the Whitefield Road near the 3rd furlong of the 6th mile there is a large bridge in the vicinity of which and to the right of the Road I found the corpse of a pariah domestic servant lying with a wound on his right breast, the shirt was saturated with blood, and there were traces of blood on the parapet stone of the bridge and on ground. Near the corpse a British Soldier was standing who was behaving in a strange manner looking demented, and trying to drive off imaginary flies. The villagers mustered strong.

On enquiries I learnt from one Nagappa that he saw the Soldier stab the deceased, and the village Toti produced a large Jack Knife with which the deed was done and which was taken from the Soldier soon after. A chit of paper was also produced by the Patel stating that it was recovered from the Soldier's pocket. On this paper the following was written in pencil, 1549884-J. Scott, - - M.T.A.S.C. Agram Barracks. On this I arrested the soldier and on questioning him he did not answer but touched his brow and shook his hand as if to say he did not remember anything. I at once handed over the Soldier to the Custody of Sergeant Parks Garrison Military Police - - - -

with a request that the accused may be detained in custody. The accused was taken away in Mr. Coningham's Car and I commenced the inquest.

Woddar Nagappa son of Venkatappa stated that he owns the field near the bridge and that he came to the Road at about 2 P.M. and saw the Soldier and deceased talking on the bridge in English that the Soldier said something and stabbed the deceased who fell on the parapet wall and down into the Nalla that the Soldier walked off towards Konen-Agrahara that he raised a cry and called out to Naga and Redigar Venkatappa who were in the fields close by that the Soldier seeing them began to run that they chased him and called out to some persons who were in front of the Konen-Agrahar Village that one Rangappa and others came and stopped the Soldier that Rangappa on hearing of the offence put his hand in accused's pocket and took out the Jack Knife and that the Villagers brought the Soldier back to the scene of the offence and found the deceased lying dead under the Avenue Honge tree close by.

Redigar Venkatappa and Edigar Naga corroborate Woddar Nagappa and further state that when the Soldier was detained and Knife taken from him, he pretended, he wanted to pass urine and on being allowed to do so, he bolted but was ~~careful~~ Caught and brought to the scene of the offence where deceased was lying under the Honge tree.

Black Smith Rangappa of Konen-Agrahar stated that about 2 P.M. he was in front of his village in company with Chikanna of Halsur Vadamallappa, when the Soldier followwed by the other 3 witnesses came running towards the village that the 3 witnesses who were following the Soldier were shouting, that they stopped the soldier and on being informed of what had occurred he and Rangappa - - searched the accused's pockets and found - - - -

(13

the knife present, which appeared to bear marks of blood that they all jointly brought the accused to the spot where deceased was lying, and that he gave the knife to the Village Toti Eera for custody.

Chikanna and Halsur Vadamallappa corroborated the above witness.

Toti woman Putti of Domlur stated that about noon she saw a Soldier passing by near her village (Domlur) and followed by a couple of urchins that she warned off the urchins, when the soldier beckoned to her but she went away abusing him, and that the Soldier went towards Konen Agrahara, and that a little while after, she heard that a Soldier killed a Pariah that she came to the spot and found that it was the same Soldier.

Toti Eera of Konen Agrahara stated, that he heard a commotion, and on coming to the spot he found that the villagers had caught hold of a Soldier, and that Rangappa gave him the present knife to take care of, which he said the Soldier had.

I sent the body for Post Mortem and came to the Cornwallis Barracks, where the Soldier was detained. He was still acting quite silly, and the Guard Sergeant Cronin told me that he had sent for the Medical Officer.

I examined the Tunic, and shorts worn by the accused, as they bore marks which resembled blood. I secured these two articles with the consent of the Guard Sergeant having drawn up a MAHAZAR. They will be sent for chemical analysis.

At Domlur I examined one Gangadigar Muniappa and He stated, that about noon while he was driving his

(14

cart from the direction of Konen Agrahar towards Domlur he met the accused near the Sewage Drain, leading to Chellaghatta Tank going in the direction of Konen - - Agrahar, that the accused tried to stab him with the present knife, that he took up his whip and threatened the accused, who drew back when he drove off with his cart and that the accused went in the direction of Konen-Agrahar, that he subsequently learnt that a Soldier had stabbed a Pariah near Konen Agrahar and on going to the spot he found that it was the same soldier, who had - - attacked him.

On the arrival of the corpse at the Victoria Hospital it is reported to have been identified by some of the employees of that Hospital and it is learnt that the deceased was working as a domestic servant at White-field.

The case is taken on file under section 304 I.P.C. and I am personally investigating the same.

Further details will be submitted.

Superintendent of Police,
Bangalore District.

VI/5

(15

G. R. S. VI—G/32]

SUBJECT.....

.....

.....

Diary No. of letter replied to .. ..

GENERAL AND REVENUE SECRETARIAT

( )

, the 191 .

Date of issue 24-5-1917

Signed Dy. Secy. Narasingarao

Police.
Section F
File No. 191-16
Serial No. 2

No. Pol 1168/Ser. 1

To

The F. A. Resident

Sir,

I am directed to forward herewith a copy of a memo from the Supdt. of Police, Bangalore &c., reporting a case of death by stabbing caused by a British soldier on the 21st May 1915 in the vicinity of Kowrampalya village on the Whitefield Road and to state that the result of the

over.

VI/5

further enquiries into the matter will be minuted in due course.

I have the

for Sec. to Govt.

Govt.

R.S.
23-5-17

List of enclosures.

One

NK - 5-17

Copied by

Examined by

W D86—G P B—60,000—15-11-16

J 2536
16 17
Police

No 5545/530

OFFICE OF THE INSPECTOR-GENERAL OF POLICE IN MYSORE. 191-16

Dated Bangalore, 22nd May 1917.

Encls. 2

From

K. R. SRINIVASA IYENGAR, Esq., M.A.,
Offg. Inspector-General of Police in Mysore.

To

D. M. Narasinga Rao Esquire, B.A.B.L.,
Secretary to the Government of His Highness the Maharaja of Mysore, General Department.

Sir,

I have the honor to forward herewith for the information of Government, copy of letter No.955-56/I dated 22nd instant and of its enclosure, from the Deputy Commissioner, Bangalore District, reporting a case of death by stabbing caused by a British soldier in the vicinity of Konen Agrahar on the Whitefield Road on the 21st instant.

2. The case has been taken on file under section 304 Indian Penal Code and is being investigated by the Superintendent of Police, Bangalore District. Further report will be submitted in due course.

I have the honor to be,
sir,
Your most obedient servant,

K R Srinivasa Iyengar

Offg. Inspector General of Police.

GEN. & REVENUE SECRETARIAT
23 MAY 1917

WD 2328—GPB—400—2-4-17

From

The Inspector-General of Police
in Mysore, Bangalore.

To

The Secretary to the Government
of H. H. the Maharaja of
Mysore, General Dept.

Dated 22nd May 17
Despatched
No. 5574/530

Enclosure 2

Subject.

Reporting a case of death by stabbing caused by a British Soldier

GEN. & REVENUE SECRETARIAT
JUDICIAL
23 MAY 1917

(17)

Letter No.955-56/I dated 22nd May 1917 from the Deputy Commissioner, Bangalore District, to the Offg. Inspector General of Police in Mysore.

I have the honor to forward herewith a memorandum submitted by the District Superintendent of Police, Bangalore District, setting forth facts of a case of death by stabbing caused by a British soldier in the vicinity of the Konen Agrahara village on the Whitefield Road yesterday the 21st instant.

I also proceeded to the spot immediately after I had finished the Excise sales and I made enquiries regarding the offence.

If the accused was not capable of understanding the nature of his act as is evident from the Superintendent's Memo, it is not clear under what circumstances he managed to stray away from his companions all alone. This matter will be further enquired into and report made.

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* C O P Y *

For Offg. Inspector General of Police.

(18

Office of the Superintendent of Police,
Bangalore District.
Dated Bangalore, 21st M a y 1917.

M E M O R A N D U M.

When I was in office this day about 3-30 P.M. I received a Telephone message from the District Superintendent of Police, Civil and Military station, that the Ulsoor station reported to him that information was brought to that station that a soldier had stabbed a ryot at Konen Agrahar village and that the ryot had died. I immediately went to the Mayo hall and saw Mr. Coningham, he confirmed the message and very kindly motored me down to the spot.

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On enquiries I learnt from one Nagappa that he saw the soldier stab the deceased, and the village Toti produced a large Jack knife with which the deed was done and which was taken from the soldier soon after. A chit of paper was also produced by the Patel stating that it was recovered from the soldier's pocket. On this paper the following was written in pencil, 1549884- J.Scott M.T.A. S.C. Agram Barracks. On this I arrested the soldier and on questioning him, he did not answer but touched his brow and shook his hand as if to say he did not remember anything. I at once handed over the soldier to the custody of Sergeant Parks Garrison Military

police with a request that the accused may be detained in custody. The accused was taken away in Mr. Coningham's Car and I commenced the inquest.

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Redigar Venkatappa and Edigar Naga corroborate Woddar Nagappa and further state that when the soldier was detained and knife taken from him, he pretended, he wanted to pass urine and on being allowed to do so, he bolted but was caught and brought to the scene of the offence where deceased was lying under the Honge tree.

Black smith Rangappa of Konen Agrahar stated that about 2 P.M. he was in front of his village in company with Chikanna Halsur Vadamallappa, when the soldier followed by the other 3 witnesses came running towards the village, that the 3 witnesses who were following the soldier were shouting that, they stopped the soldier and on being informed of what had occurred he and Rangappa searched the accused's pockets and found the knife present, which appeared to bear marks of blood that they all jointly brought the accused to the spot where deceased was lying, and that he gave the knife to the village Toti Eera for custody.

(4)

Chikanna and Halsur Vadmallappa corroborated the above witness.

Toti woman Putti of Domlur stated that about noon she saw a soldier passing by ~~the~~ near her village (Domlur) followed by a couple of urchins, that she warned off the urchins, when the soldier beckoned to her, but she went away abusing him, and that the soldier went towards Konen Agrahara, and that a little while after, she sheard that a soldier killed a pariah, that she came to the spot and found that it was the same soldier.

Toti Eera of Konen Agrahara stated that he heard a commotion and on coming to the spot he found that the villagers had caught hold of a solier, and that Rangappa gave him the present knife to take care of, which he said the soldier had.

I sent the body for post mortem and came to the Cornwallis Barracks, where the soldier was detained. He was still acting quite silly, and the Guard Sergeant Cronin told me that he had sent for the Medical Officer.

I examined the Tunic and shirts worn by the accused and as they bore marks which resembled blood. I secured these two articles with the consent of the Guard Sergeant having drawn up a mahazar. They will be sent for chemical analysis.

At Domlur I examined one Gangadigar Muniappa. He stated that about noon while he was driving his cart from the direction of Konen Agrahar towards Domlur, he met the accused near the sewage drain leading to Chellaghatta tank going in the direction of Konen Agrahar, that the accused tried to stab him with the present knife, that he took up his whip and threatened the accused, who drew back when he drove off with his cart, and that the accused went in the direction of Konen Agrahar, that he subsequently learnt that a soldier had stabbed a pariah near Konen Agrahar, and on going to the spot he found

that it was the same soldier who had attacked him.

On the arrival of the corpse at the Victoria hospital it is reported to have been identified by some of the employees of that hospital, and it is learnt that the deceased was working as a domestic servant at Whitefield.

The case is taken on file under Section 304 I.P.C. and I am personally investigating the same.

Further details will be submitted.

Sd/- A. Hayes
Superintendent of Police,
Bangalore District.

"COPY"

for Offg. Inspector General of Police.

DIARY No. J-2567

1916-17

Public

FILED

1916

PERMANENT 1917

Office of the Deputy Commissioner,

Bangalore District.

No. 978-79

Dated Bangalore, 26th May 1917

GEN. DEPARTMENT JUDICIAL 28 MAY 1917

From

Muhammed Zahiruddin Mecci, Esq., B.A.,

Senior Assistant Commissioner,

in charge Bangalore District.

To

D. M. Narasinga Rao, Esq., B.A., B.L.,

Secretary to the Government of His Highness

the Maharaja of Mysore, General Department.

Sir,

Ex Jur 24.5.17

In continuation of my letter No. 9556/Mis. dated 22nd instant, I have the honor to forward herewith copy of Memo dated 26th instant, submitted by the Superintendent of -- Police, setting out further facts in the case of stabbing by a Soldier, at Konena Agrahar village and to request the favour of early order of Government being obtained in the matter.

2. The Superintendent has been instructed to suspend further action, pending the issue of Government order on the subject.

I have the honor to be,

Sir,

Your most obedient servant.

M. Zahiruddi Mecci

Senior Assistant Commissioner in charge Bangalore Dist.

A.S III

D Sec'y

Please put up a draft

Secy

L.S.R.
3.

Office of the Superintendent of Police,
Bangalore District.
Dated Bangalore, 26th May 1917.

(24)

MEMORANDUM.

In continuation of my memo dated 21-5-1917 re the case of stabbing at Konen-Agrahar Village by a Soldier Named J. Scott, I beg to state that I examined the following persons.

Munareddy, the Patel of the Konen-Agrahar Village stated that on 21-5-1917 at about 2 P.M. hearing a commotion near the bridge of his village, he came to the spot and found that the Villagers had detained the accused, that the body of the deceased was lying under the Honge Tree, with a wound on the right breast and that Shanbhog Kireetappa gave him the chit of paper, stating that it was given by the accused which chit he subsequently produced.

Shanbhog Kiritappa stated that he was collecting Kandayam at Konen-Agrahar Village, and learning that a Soldier had stabbed another, he came to the spot, and found a man dead under the Honge tree, and the accused detained by the Villagers and that Toty Eera had custody of the Knife, that he asked the accused his name through another man that accused took a pencil from witness, and producing a piece of paper, he wrote his address on it, and gave it to this witness, who in turn gave it to the patel for custody and that the accused was conscious at the time.

John, a Ward Cooly of the Victoria Hospital, identified the corpse as that of his son Rayappa and stated that he was employed under Mr. Bond, at Whitefield

that he was to be married shortly and that he was coming to Bangalore to settle about it.

The Sub-Assistant Surgeon Mr.Abboy Naide, who held the Post Mortem on the corpse has stated in writing that death of the deceased Rayappa is due to haemorrhage the result of a stab wound of the heart.

I attended the Cornwallis Barracks on the 23rd instant as I received a Telephone message and was present at a court of enquiry held at which several witnesses including myself were exaimed , I was given to understand that this enquiry was purely for Military purposes to determine the nature of the charge against the Soldier.

My private enquiry goes to show that the accused only recently returned from the Front on leave and has been indulging freely in liquor, and that he is suffering from the after effects of heavy drinking, in fact, the accused during the course of enquiry that day, stated once or twice, that he did not know what he was doing that day.

I further learnt that Soldiers are constantly returning from the Front on leave for the purpose of recruiting their health, and other objects, that during this time they are allowed some laxity on account of the strenuous lives they had in the War Area, and are not subjected to much discipline.

The investigation of this case is practically complete and only the autopsy from the Medical Officer and Certificates from the Chemical Examiner have to be received.

I solicit instructions as to laying a charge sheet in the case which can be done under Government

(23

717 Proceedings No.J.1598 Cts.-75-06-2 dated 11-12-06

if the accused was really on leave.

Superintendent of Police,

Bangalore District.

G. R. S. VI—G/32]

(24

SUBJECT.....2/16.....

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Diary No. of letter replied to .....

Section Police

File No. 191-16

Serial No. 45

GENERAL AND REVENUE SECRETARIAT

( )

, the 191 .

No. J4489

Date of issue 2/6/17.

To

The Dy. Comr., Bangalore.

Signed by Wm G. Srinivasa

Sir

With reference to your letter No. 978-9 dated the 26th May 1917 soliciting instructions in the matter of placing a charge sheet against the British soldier who stabbed a pariah woman to death near Kolar on the 21st instant. I am directed to state that provisions of the the Notification issued by the

717

over.

2/16

Supdt of Police in his memo of
the 26th ~~idem~~ May 1917 does
not apply to the present case
as it has reference only to
native officers & soldiers of the
Indian Army. I am therefore
to request that the records of
the case may be forwarded to
this Office for transmission
to the Military Authorities
concerned.

I have &c.

Supdt

Capt

30.5.17.

BG.
29.5.17.

List of enclosures.

Copied by

Examined by

W D86—GPB—60,000—15-11-16

REV. SEC. 13 JUN 1917 1028

Office of the Deputy Commissioner,
Bangalore District.
Dated Bangalore, 12th June 1917.

DIARY No. 12671
13/6-1917
SECTION Police
FILE No. 191-16
SERIAL No. 6

From

M.Zahiruddin Mecci, Esq., B.A.,
Offg: Deputy Commissioner,
Bangalore District.

Police. GEN. & REVENUE SECRETARIAT JUDICIAL 13 JUN 1917

To

D.M.Narasinga Rao, Esq., B.A. B.L.,
Secretary to Government,
General Department,
B a n g a l o r e.

Sir,

In reply to your letter No.J.4489/Pol.191-16-5 dated 2nd instant, re the case of stabbing by Private J.Scott, I have the honor to state that the Station Staff Officer, Bangalore, has, in his letter No.3579/8.A. dated 2nd instant, intimated that the said Soldier Driver J.Scott was on leave from Mesopotamia, at the time of the commission of the offence, and the same officer has again, in his letter No.3579/7.A. dated 2nd instant, informed that the Military authorities are prepared to hand over the accused for trial, to the Civil authorities, whenever so required.

Under these circumstances, the Superintendent of Police, Bangalore District, has been requested to draw up a charge sheet, against the accused and place the same, at an early date, before the Justice of the Peace, having jurisdiction.

Copies of the letters are herewith forwarded for information.

I have the honor to be,

Sir,

Your most obedient servant,

M Zahiruddin

Offg: Deputy Commissioner,
Bangalore District.

(25)

Copy of letter No. 3579/7.a dated 2nd June 1917 from the Station Staff Officer, Bangalore, to the Superintendent of Police, Bangalore.

With reference to the alleged murder of a native by No. 154984 Driver J. Scott, A.S.C. (M.T), I am directed to inform you that the accused will ne handed over to the Civil authorities for trial, whenever you so require him.

2. Due notice of trial should be given to this office in order that arrangements may be made for connsel for the defence.

" C O P Y "

Offg: Deputy Commissioner,
Bangalore District.

Copy of letter No. 3579/8.A dated 2nd June 1917 from the Station Staff Officer, Bangalore to the Superintendent of Police, Bangalore District.

With reference to your letter No. 2686 dated 28/29th May 1917, I have the honour to inform you that No. 154984 Driver J. Scott, A.S.C (M.T) was on leave from Meopotamia at the time he committed the offence.

" C O P Y "

Offg: Deputy. Commissioner
Bangalore District.

No. 5950/5553

OFFICE OF THE
INSPECTOR-GENERAL OF POLICE IN MYSORE.

Dated Bangalore, 13th June 1917.

DIARY No. 9692

1916-1917
SECTION Police
FILE No. 191-16
SERIAL No. 1

Encls. 3

From

K. R. SRINIVASA IYENGAR, Esq., M.A.,
Offg. Inspector-General of Police in Mysore.

To

D. M. Narasinga Rao Esquire, B.A.B.L.,

Secretary to the Government of His Highness
the Maharaja of Mysore, General Department.

Sir,

In continuation of my letter No.5545/530 dated 22nd May 1917, I have the honor to forward herewith for the information of Government copies of letter No.1028 dated 9th instant and of its enclosures from the Deputy Commissioner, Bangalore District, stating that the Military authorities have intimated that the accused Private Scott will be handed over to the Civil authorities for trial and that the Superintendent of Police has been requested to prepare a charge sheet in the case and place it before the Justice of the Peace having jurisdiction at a very early date.

I have the honor to be,
sir,
Your most obedient servant,

K R Srinivasa Iyengar

Offg. Inspector General of Police.

2

WD 2328—GPB—400—2-4-17

From

The Inspector-General of Police
in Mysore, Bangalore.

To

The Secretary to the Government
of H. H. the Maharaja of
Mysore, General Dept.

Dated 14th June 17
Despatched
No. 5980/5-5-3
Enclosure

G. & R. SECTT.
15 JUN 1917

Subject. 3

Stating that Military authorities have intimated that the accused Private Scott will be handed over to the Civil authorities for trial and D.S.P. has been requested to prepare a charge sheet and place it before the e Justice of the Peace, having jurisdiction.

GEN. & R. SECRETARIAT
III
JUDICIAL
15 JUN 1917

(5

Letter No.1028/I dated 9th June 1917 from the Deputy Commissioner, Bangalore District, to the Offg. Inspector General of Police in Mysore.

In reply to your letter No.C.110 dated 27th ultimo, re Private J. Scott, I have the honor to enclose herein copy of letter No.3579/8.A. dated 2nd June, from the Station Staff Officer, intimating that Driver J. Scott was on leave from Mesopotamia on the date of the offence.

2. Copy of another letter received from the Station Staff Officer, Bangalore, intimating that the said accused will be handed over to the Civil authorities for trial whenever so required is also forwarded for information.

3. The Superintendent of Police has been requested to draw up a charge sheet in the case and place it before the Justice of the Peace having jurisdiction at a very early date.

C O P Y

Offg. Inspector General of Police.

No.3579/8.A.

Head Quarters
Bangalore Brigade.
Bangalore, 2nd June 1917.

(3

From

The Station Staff Officer,
Bangalore.

To

The Superintendent of Police,
Bangalore District,
Bangalore.

Sir,

With reference to your letter No.2686 dated 28/29th May 1917, I have the honor to inform you that No.154984 Driver J. Scott A.S.C. (M.T.) was on leave from Mesopotamia at the time he committed the offence.

I have &c.,
Sd/- B. O. Reynolds.
Captain,
Station Staff officer.

C O P Y

Offg. Inspector General of Police.

No.3579/7.A

Head Quarters
Bangalore Brigade.
Bangalore, dated 2nd June '17

From

The Station Staff officer,
Bangalore.

To

The Superintendent of Police,
Bangalore District,
Bangalore.

Sir,

With reference to the alleged murder of a native by No.154984 Driver J. Scott, A.S.C. (M.T.), I am directed to inform you that the accused will be handed over to the Civil Authorities for trial whenever you so require him.

2. Due notice of trial should be given to this office in order that arrangements may be made for counsel for defence.

I have &c.,
Sd/- B.O. Reynolds,
Captain,
Station Staff officer.

C O P Y

Offg. Inspector General of Police.

9 JUN 1917

1016 1917
SECTION Police
FILE No. 191-16
No. 8

No. 808

Office of the Deputy Commissioner,
Bangalore District.

Dated Bangalore, 18th June 1917.

From

M. Zahiruddin Mecci, Esq., B.A.,
Offg: Deputy Commissioner,
Bangalore District.

SPM
JUDICIAL
19 JUN 1917

To:-

D. M. Narasinga Rao, Esq., B.A. B.L.,
Secretary to Government,
General Department,
B a n g a l o r e.

Sir,

In continuation of my letter No.1028 dated 12-6-1917 I have the honor to state that a chargesheet against the Soldier Private J. Scott having been placed before the Justice of the Peace, Mr. P. F. Bowring, the case has been posted to 28th instant for trial, at Bangalore.

Due notice of the date of hearing has been given to the Military Authorities.

The result of the trial will also be duly reported.

I have the honor to be,
Sir,
Your most obedient servant,

M Zahiruddin Mecci

Off: Deputy Commissioner,
Bangalore District.

DIARY No. 975

10 -10

SECTION Police

1916

OFFICE OF THE
INSPECTOR-GENERAL OF POLICE IN MYSORE.

No. 184/12

Dated Bangalore, 9th July 1917.

36

Encls.

From

K. R. SRINIVASA IYENGAR, Esq., M.A.,
Offg. Inspector-General of Police in Mysore.

To

D. M. Narasinga Rao Esquire, B.A.B.L.,
Secretary to the Government of His Highness
the Maharaja of Mysore, General Department.

Sir,

In continuation of my letter No.5950/553 dated the 14th June 1917, regarding the case of stabbing against Private Scott, I have the honor to state that the charge sheet in the case was placed before Mr. P. F. Bowring, Justice of the Peace on the 28th June 1917, and that after 3 hearings the accused was on 4th July 1917 charged under section 304 Indian Penal Code, and committed to take his trial before the Madras High Court Sessions which comes off in August. The result of the Sessions trial will be duly reported.

I have the honor to be,
Sir,
Your most obedient servant,

K R Srinivasa Iyengar

Offg. Inspector General of Police.

2

10 JUL 1917

WP, 2328—GPB—400—2-4-17

From

The Inspector-General of Police
in Mysore, Bangalore.

To

The Secretary to the Government
of H. H. the Maharaja of
Mysore, General Dept.

Dated
Despatched 9 July 17
No. 134/17
Enclosure

Subject.

Stating that Private Scott was charged under Section 304 IPC and committed to take his trial before the Madras High Court Sessions which comes off in August.

4-5 P.M.
SECRETARIAT
JUDICIAL
10 JUL 1917

(55

No. 881/57

OFFICE OF THE
INSPECTOR-GENERAL OF POLICE IN MYSORE.

Dated Bangalore, 15th August *1917.*

Encls.

DIARY No. J386.

From

K. R. SRINIVASA IYENGAR, Esq., M.A.,
Offg. Inspector-General of Police in Mysore.

To

D. M. Narasinga Rao Esquire, B.A.B.L.,
Secretary to the Government of His Highness
the Maharaja of Mysore, General Department.

Sir,

Pol 191-16-10
S.B (case worker)
17/7

In continuation of my letter No. 134/12 dated 9-7-1917, regarding the case of stabbing against Private Scott, I have the honor to state that the accused was tried by the Madras High Court and was acquitted on the ground of insanity on the 7th instant. He has been ordered by the Court to be detained in the penitentiary, pending orders of Government.

I have the honor to be,
sir,
Your most obedient servant,

K R Srinivasa Iyengar

Offg. Inspector General of Police.

GEN. & REV. SEC. 17 AUG 1917

WD 2328—GPB—400—2-4-17

From

The Inspector-General of Police
in Mysore, Bangalore.

To

The Secretary to the Government
of H. H. the Maharaja of
Mysore, General Dept.

Dated 15th August
Despatched 16th

No. 881/S'7

Enclosure

Subject. Re The Case of Stabbing against Private Scott.

GEN. & REV. SECRETARIAT JUDICIAL 17 AUG 1917

G. R. S. VI—G/32]

SUBJECT.....

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.....

Diary No. of letter replied to .. ..

GENERAL AND REVENUE SECRETARIAT

.( )

, *the* *191* .

Section Police

File No. 191-16

Serial No. 11

No. Pol 182

Date of issue 21st August 1917

Signed W. B. M. Narasimga Pillai

To

The 7th A. Resident

Sir,

In continuation of this Office letter no. Pol. 1168 dated the 24th May 1917 reporting a case of stabbing by a British soldier on the 21st idem near Korean Agraharam on the Whitefield road, I am directed to state that Private Scott, the accused in the case, who was handed over for trial by civil authorities was

over.

3

committee to the decision of the Madras High Court by Mr. P.E. Bowring I.P. and that that Court is reported to have acquitted Scott on the ground of insanity and to have directed his detention in the Penitentiary pending the orders of the Indian Govt.

I have &c

E.S. 18.8.17
for Secy to Govt.
Genl Dept.

B.T.
18.8.17

List of enclosures.

Copied by

Examined by

W D86—GPB—60,000—15-11-16

GEN. & REV. SECRETARIAT
1.1.
29 AUG 1917

No. 6649.

DIARY No. 9497
1917-1918
SECTION Police
1-16
12

Pol. 312
30-8-17

GEN. & REV. SECRETARIAT
III
JUDICIAL
30 AUG 1917

FROM

MAJOR E. H. S. JAMES,
FIRST ASSISTANT TO THE RESIDENT IN MYSORE.

To

The Secretary to the Government of
His Highness the Maharaja of Mysore.
GENERAL DEPARTMENT.

Dated Bangalore, 29th August 1917

SIR,

With reference to your letter No. Pol. 182, dated the 21st August 1917, regarding Private Scott, I am directed to request that, if available, a copy of the order of the Madras High Court may kindly be furnished to this Residency.

I have the honour to be,
Sir,
Your most obedient servant,

EHS James
First Assistant Resident.

MA

R. O. 2.—R. P. B.—7-1917.—1,000.

G. R. S. VI—G/32]

SUBJECT.....

.....

.....

Diary No. of letter replied to .....

GENERAL AND REVENUE SECRETARIAT

( )

,, the 191 .

Date of issue 1/9/17

Signed by M. G. Srinivasa Iyr

Section Police

File No. 191-16

Serial No. 13

No. J 814

To

The I.G.P. Police in Mysore

Sir

With reference to your bulletin No. 881/57 dated the 15/16th August 1917 intimating the result of the trial of Privates Scott before the Madras High Court, I am directed to request you to be so good as to obtain & forward a copy the Court's order in the case.

I have &c.

30.8.17 for Secy to Govt.

Rl. 30-8-17

over to Dept.

J 667
C Pol 191-16
SL 14

No 1705/114

OFFICE OF THE
INSPECTOR-GENERAL OF POLICE IN MYSORE.

Dated Bangalore, 13th September 1917.

15

Encls. /

From

K. R. SRINIVASA IYENGAR, Esq., M.A.,
Offg. Inspector-General of Police in Mysore.

To

C. S. Balasundaram Iyer Esquire, B.A.,
Secretary to the Government of His Highness
the Maharaja of Mysore, General Department.

Sir,

With reference to your letter No.J.814/Police. 191-16-13 dated 1-9-1917, I have the honor to forward herewith a copy of the order of the Madras High Court acquitting Private Scott in Case No.7 of the Third Sessions of 1917.

I have the honor to be,
sir,
Your most obedient servant,

Asst. to the Inspector General of Police
For Offg. Inspector General of Police.
Absent from station.

WD 2328—GPB—400—2-4-17

From

The Inspector-General of Police
in Mysore, Bangalore.

To

The Secretary to the Government
of H. H. the Maharaja of
Mysore, General Dept.

Dated 15th Sept 17
Despatched
No. 1705/114 Enclosure /

Subject.

Forwarding copy of the order of the Madras High Court acquitting Srinivasa Setty in case 7

Rd 4-10

SECRETARIAT
JUDICIAL
17 SEP 1917

/41

IN THE HIGH COURT OF JUDICATURE AT MADRAS

. CROWN SIDE.

THE HONOURABLE MR. JUSTICE OLDFIELD

Tuesday, The 7th Day of August 1917.

DIARY No. 1655
SECTION
FILE No.
SERIAL No.

Case No.7 of the Third Sessions of 1917.

The King Emperor

against

John Scott

O R D E R.

The verdict of the Jury is 'Not guilty' unanimously.

The Jury finds unanimously that accused committed the act charged and that he is not guilty, as he was of unsound mind at the time.

The accused is acquitted and will under section 471 Criminal Procedure Code, be kept in safe custody in the Madras Lunatic Asylum pending the orders of the Local Government on a report to be submitted to it.

(Intd.) F.D.P.O.

7-8-1917

C O P Y

for Offg. Inspector General of Police.

G. R. S. V1—G/32]

SUBJECT.....

.....

.....

Diary No. of letter replied to .....

GENERAL AND REVENUE SECRETARIAT

( )

, *the* 191 .

Date of issue 26-11-17

Signed by L. B. Casamajor *Tgm.*

Section Police

File No. 191-16

Serial No. 15

No. Pol. 306

To

The J. H. Residency

Sir,

I am directed to forward herewith a copy of the order of the Madras High Court regarding Private Scott as requested in your letter no. 6679 dated the 29th August 1917.

I have &c.

For Secy. to Govt.

Govt. Pleader

over.

Sent & Typed by
Cyber/26/11

24/11/17

List of enclosures.

One

26/11/17.

Copied by

Examined by

W D66–GPB—60,000—15-11-16